

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THOMAS E. NOBLE,

Petitioner,

v.

CHIEF JUDGE LEONARD P. STARK,  
et al.,

Respondents.

:  
:  
:  
:  
:  
:  
:  
:  
:

Civ. No. 18-958-LPS

---

Thomas E. Noble, FDC Philadelphia, Philadelphia, Pennsylvania, Pro Se Petitioner.

MEMORANDUM OPINION

November 6<sup>th</sup>, 2018  
Wilmington, Delaware



STARK, U.S. District Judge:

## I. INTRODUCTION

Petitioner Thomas A. Noble (“Petitioner”) filed this petition for a writ of mandamus to remove unconstitutionally appointed judges from the court. (D.I. 3) He appears *pro se*, and has been granted leave to proceed *in forma pauperis*.

## II. DISCUSSION

The petition is filed against the undersigned and U.S. District Judge Richard G. Andrews. Petitioner states that all judges of this District Court and of the United States Court of Appeals for the Third Circuit, as well as several Supreme Court Justices are ethically barred from adjudicating any of his cases. Petitioner contends that former U.S. President Barack Obama could not have constitutionally served as president and, therefore, all judicial appointments made during his presidency are unconstitutional. Petitioner seeks removal of Respondents as well as the designation of a special judicial tribunal to oversee the removal.

To be eligible for mandamus relief under 28 U.S.C. § 1361, a petitioner must satisfy three conditions. First, the party seeking issuance of a writ must demonstrate that he has “no other adequate means to attain the relief he desires.” *Cheney v. United States Dist. Court*, 542 U.S. 367, 380 (2004) (citation omitted). Next, he must carry the burden of showing that “his right to the issuance of the writ is clear and indisputable.” *Id.* at 381 (citations omitted). Finally, “the issuing court . . . must be satisfied that the writ is appropriate under the circumstances.” *Id.*

Petitioner does not meet the stringent requirements for mandamus relief. Therefore, the Court finds that Petitioner failed to demonstrate his entitlement to a writ of mandamus.

## III. CONCLUSION

For the above reasons the Court: (1) will deny and dismiss the Petition for Writ of Mandamus (3); and (2) deny as moot all other motions (D.I. 4, 5).

An appropriate order follows.